

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

GKS-102.0 (7911/86349)

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/049,988

INTERNATIONAL APPLICATION NO.  
PCT/EP00/08129INTERNATIONAL FILING DATE  
August 21, 2000PRIORITY DATE CLAIMED  
August 20, 1999**TITLE OF INVENTION****NUCLEIC ACID MOLECULE COMPRISING A NUCLEIC ACID SEQUENCE WHICH CODES FOR A  
HAEMOCYANIN AND COMPRISING AT LEAST ONE INTRON SEQUENCE****APPLICANT(S) FOR DO/EO/US**

Biosyn Arzneimittel GmbH

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND or SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4.  The US has been elected by the expiration of 19 months from the priority date (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11.  A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12.  A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15.  A **FIRST** preliminary amendment.
16.  A **SECOND or SUBSEQUENT** preliminary amendment.
17.  A substitute specification.
18.  A change of power of attorney and/or address letter.
19.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
21.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22.  Certificate of Mailing by Express Mail
23.  Other items or information:

Statements under 37 C.F.R. Section 1.825(a) and Section 1.821(f) (3 pages);  
 Transmittal Letter (2 pages); Error Listing (1 page); Substitute paper copy of  
 the Sequence Listing (156 pages); a diskette

U.S. APPLICATION NO. (IF 10/049,986, SEE 37 CFR 10/049,986)	INTERNATIONAL APPLICATION NO. PCT/EP00/08129	ATTORNEY'S DOCKET NUMBER GKS-102.0 (7911/86349)
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24. The following fees are submitted:.

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....	\$1040.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....	\$890.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.445(a)(2)) paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	\$740.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....	\$710.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....	\$100.00

**CALCULATIONS PTO USE ONLY**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).

□ 20 □ 30

\$0.00

CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

Total claims

- 20 =

0

x

\$18.00

\$0.00

Independent claims

- 3 =

0

x

\$84.00

\$0.00

Multiple Dependent Claims (check if applicable).

□

\$0.00

**TOTAL OF ABOVE CALCULATIONS =**

\$0.00

Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

**SUBTOTAL =**

\$0.00

Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).

□ 20 □ 30 +

\$0.00

**TOTAL NATIONAL FEE =**

\$0.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

□

\$0.00

**TOTAL FEES ENCLOSED =**

\$0.00

Amount to be:  
refunded

\$

charged

\$

- A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:



24628

PATENT TRADEMARK OFFICE

WELSH & KATZ, LTD.  
120 S. Riverside Plaza, 22nd Fl.  
Chicago, Illinois 60606

Shannon L. Nebolsky

NAME

42,217

REGISTRATION NUMBER

863469

SEN EPLG

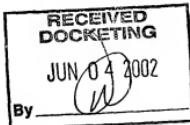


## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/049,988	Biosyn Arzneimittel	GKS-102.0(7911/86349)

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 120 South Riverside Plaza  
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INTERNATIONAL APPLICATION NO.	
PCT/EP00/08129	
IA. FILING DATE	PRIORITY DATE
08/21/2000	08/20/1999

CONFIRMATION NO. 2621  
 371 FORMALITIES LETTER



\*OC000000008190056\*

Date Mailed: 05/29/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

RECEIVED  
 JULY 1 2002  
 5:45 PM  
 371  
 WEISI & KATZ, LTD.  
 544 W. 37TH STREET  
 NEW YORK, NY 10018-3211

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

The following items **MUST** be furnished within the period set forth below: